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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stefan GALLINAT et al.

Confirmation No.: 3145

Group Art Unit: 1627

Serial No. : 10/581,271

Examiner: Claytor, Deirdre Renee

I. A. Filed : November 22, 2004

For : COMBINATION OF 2,3-DIBENZYL BUTYROLACTONE AND
LICOCHALCONE-A

ELECTION

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

This is in response to the Election of Species Requirement mailed from the U.S. Patent and Trademark Office on November 17, 2009. Inasmuch as the one-month shortened statutory period for reply is set in the Office Action to expire December 17, 2009, this response is being filed by the initial due date for response. However, if any extension of time is necessary, this is an express request for any necessary extension of time and authorization to charge any required extension of time fee or any other fees which may be required to preserve the pendency of the present application to Deposit Account No. 19-0089.

RESTRICTION AND ELECTION OF SPECIES REQUIREMENT

The Examiner has required an election of the following species:

1. component (a), as listed in claims 18 and 34;
2. polyol, as listed in claims 27 and 36.

ELECTION

In response to the election of species requirement, Applicants elect **arctiin** as component (a) and **glycerin** as polyol.

Currently at least claims 14-30, 32-37 and 39-44 read on the elected species.

Should there be any questions, the Examiner is respectfully invited to contact the undersigned at the telephone number below.

Respectfully submitted,
Stefan GALLINAT et al.

/Heribert F. Muensterer/

Heribert F. Muensterer
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